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ON THE PREVENTION OF CRIME
AND THE TREATMENT OF OFFENDERS

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## ORGANIZATIONAL MATTERS

### Provisional rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders**

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**As approved by the Economic and Social Council in its resolution 1993/32, and as contained in the annex to that resolution, which was adopted on the recommendation of the Commission on Crime Prevention and Criminal Justice at its second session.

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## I. REPRESENTATION AND CREDENTIALS

### *Composition of delegations*

### *Rule 1*

The delegation of each State participating in the Congress shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

### *Designated representatives*

### *Rule 2*

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

### *Submission of credentials*

### *Rule 3*

1. The credentials of representatives shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

2. The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary of the Congress, if possible not later than one week before the opening of the Congress. Any later change in the composition of delegations shall also be submitted to the Secretary of the Congress.

### *Credentials Committee*

### *Rule 4*

1. There shall be a Credentials Committee of nine members appointed by the Congress on the proposal of the President. Its membership shall, as far as possible, be the same as that of the Credentials Committee of the General Assembly of the United Nations at its preceding session.

2. The Credentials Committee shall itself elect from among the representatives of participating States a Chairman and such other officers as it considers necessary.

3. The Credentials Committee shall examine the credentials of representatives and report to the Congress.

### *Provisional participation in the Congress*

### *Rule 5*

Pending a decision of the Congress upon their credentials, representatives shall be entitled to participate provisionaliy in the Congress.

## II. OFFICERS

### *Elections*

### *Rule 6*

The Congress shall elect from among the representatives of participating States a President, 24 Vice-Presidents and a Rapporteur-General, as well as a Chairman for each of the committees provided for in rule 45. These officers shall constitute the General Committee and shall be elected on the basis of equitable geographical distribution.

### *Acting President*

### *Rule 7*

1. If the President finds it necessary to be absent from a meeting or any part thereof, he or she shall designate one of the Vice-Presidents as acting President.

2. A Vice-President acting as President shall have the same power and duties as the President.

### *Replacement of the President*

### *Rule 8*

If the President is unable to perform his or her functions, a new President shall be elected.

*Voting rights of the President*

*Rule 9*

The President, or a Vice-President acting as President, shall not vote, but shall designate another member of his or her delegation to exercise that function.

III. GENERAL COMMITTEE

*Chairman*

*Rule 10*

The President or, in his or her absence, one of the Vice-Presidents designated by the President shall serve as Chairman of the General Committee.

*Substitute members*

*Rule 11*

1. If the President or a Vice-President or the Rapporteur-General is absent from a meeting of the General Committee, he or she may designate a member of his or her delegation to act as a substitute.

2. In case of absence, the Chairman of a committee shall designate another officer of the committee or, if none is available, a member thereof, as a substitute. However, such a substitute shall not have the right to vote if he or she is of the same delegation as another member of the General Committee.

*Functions*

*Rule 12*

1. In addition to carrying out other functions provided in these rules, the General Committee shall assist the President in the general conduct of the business of the Congress and, subject to decisions of the Congress, shall ensure the coordination of its work.

2. At the request of the Chairman of a committee, the General Committee may adjust the allocation of work to the committees.

IV. SECRETARIAT

*Duties of the Secretary-General*

*Rule 13*

1. The Secretary-General of the United Nations shall appoint a Secretary-General and a Secretary of the Congress and shall provide the staff required by the Congress and its subsidiary organs.

2. The Secretary-General of the Congress or his or her representative shall act in that capacity in all meetings of the Congress and its subsidiary organs. He or she shall direct the staff assigned to perform services in connection with the Congress.

*Duties of the secretariat*

*Rule 14*

The secretariat of the Congress shall, in accordance with these rules:

(*a*) Interpret speeches made at meetings;

(*b*) Receive, translate, reproduce and distribute the documents of the Congress;

(*c*) Publish and circulate the report and the official documents of the Congress;

(*d*) Make and arrange for the keeping of sound recordings of meetings;

(*e*) Arrange for the custody and preservation of the records of the Congress in the archives of the United Nations;

(*f*) Generally perform all other work that the Congress may require.

*Statements by the secretariat*

*Rule 15*

The Secretary-General of the Congress or any member of the secretariat designated for that purpose may at any time make either oral or written statements concerning any question under consideration.

V. CONDUCT OF BUSINESS

*Quorum*

*Rule 16*

The President may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the Congress are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

*General powers of the President*

*Rule 17*

1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall preside at the plenary meetings of the Congress, declare the opening and closing of each such meeting, direct the discussions, accord the right to speak, put questions to the vote and announce decisions. He or she shall rule on points of order and, subject to these rules, have complete control of the proceedings and over the maintenance of order. The President may propose to the Congress the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times participants may speak on a question, the adjournment or closure of the debate, and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his or her functions, remains under the authority of the Congress.

*Points of order*

*Rule 18*

Subject to rule 38, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with the present rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the ruling of the President shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

*Speeches*

*Rule 19*

1. No one may address the Congress without having previously obtained the permission of the President, who shall, subject to the present rule and rules 17 and 22 to 25, call upon speakers in the order in which they signify their desire to speak. The Secretary of the Congress shall be in charge of drawing up a list of such speakers.

2. Debate shall be confined to the question before the Congress and the President may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

3. The Congress may limit the time allowed to speakers and the number of times participants may speak on a question; a motion to set such limits shall be immediately put to the vote. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him or her to order without delay.

*Precedence*

*Rule 20*

The Chairman or another representative of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by that organ.

*Closing of the list of speakers*

*Rule 21*

During the course of a debate the President may announce the list of speakers and, with the consent of the Congress, declare the list closed. When there are no more speakers on the list, the President shall declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 25.

*Right of reply*

*Rule 22*

The right of reply shall be accorded by the President to a representative of a State participating in the Congress who requests it. Any other representative may be granted the opportunity to make a reply. Such replies should be as brief as possible.

*Suspension or adjournment of the meeting*

*Rule 23*

Subject to rule 38, a representative may at any time move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

*Adjournment of debate*

*Rule 24*

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of and two against the motion, after which the motion shall be immediately put to the vote.

*Closure of debate*

*Rule 25*

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote.

*Order of motions*

*Rule 26*

Subject to rule 18, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

(*a*) To suspend the meeting;

(*b*) To adjourn the meeting;

(*c*) To adjourn the debate;

(*d*) To close the debate.

*Items for consideration*

*Rule 27*

The Economic and Social Council, on the recommendation of the Commission on Crime Prevention and Criminal Justice, shall approve the provisional agenda for the Congress. The Congress shall adopt the provisional agenda and consider the items therein.

*Draft resolutions on topics selected for consideration by the Congress*

*Rule 28*

1. Draft resolutions on items of the provisional agenda for the Congress shall be submitted to the Secretary-General of the Congress four months prior to the Congress, and distributed to all Member States not later than two months prior to the Congress.

2. Draft resolutions are proposals requiring the adoption of a decision on the substantive items of the agenda.

*Other proposals and amendments*

*Rule 29*

Substantive amendments shall be introduced in writing and handed to the Secretary of the Congress, who shall circulate copies to all delegations in the official languages of the Congress. Unless the Congress decides otherwise, substantive amendments shall be discussed or put to the vote no earlier than twenty-four hours after copies in the official languages of the Congress have been circulated to the delegations.

*Rule 30*

1. On a written proposal of one or several representatives of Member States submitted at the time of the consideration of the agenda, the Congress may decide, by a two-thirds majority of the representatives present and voting, on the inclusion of other items in its agenda on urgent and important matters.

2. Draft resolutions pertaining to items on the agenda, as defined in paragraph 1 above, shall be submitted to the Secretary of the Congress for distribution in the official languages to the representatives not later than forty-eight hours prior to their consideration.

*Withdrawal of proposals and motions*

*Rule 31*

A proposal or motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or motion thus withdrawn may be reintroduced by any representative.

*Decisions on competence*

*Rule 32*

Subject to rule 18, any motion calling for a decision on the competence of the Congress to discuss any matter or to adopt a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal in question.

*Reconsideration*

*Rule 33*

When a proposal or motion has been adopted or rejected, it may not be reconsidered unless the Congress, by a two-thirds majority of the representatives present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the matter shall be immediately put to the vote.

## VI. VOTING

*Voting rights*

*Rule 34*

Each State represented at the Congress shall have one vote.

*Majority required*

*Rule 35*

1. Unless the Congress decides otherwise, decisions of the Congress on all matters of substance shall require a two-thirds majority of the representatives present and voting.

2. Unless the Congress decides otherwise, and except as otherwise provided in the present rules, decisions of the Congress on all other matters shall be taken by a simple majority of the representatives present and voting. If a vote is equally divided, the proposal or motion shall be regarded as rejected.

3. For the purpose of the present rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

*Methods of voting*

*Rule 36*

Except as provided in rule 43, the Congress shall normally vote by show of hands, but any representative may request a roll-call vote, which shall then be taken in the English alphabetical order of the names of the States participating in the Congress, beginning with the one whose name is drawn by lot by the President. The name of each participating State shall be called in all roll-call votes, and its representative shall reply "yes", "no" or "abstention".

*Explanation of vote*

*Rule 37*

Representatives may make brief statements consisting solely of an explanation of their votes, either before the voting has commenced or after it has been completed. The representative of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon unless it has been amended. The President may limit the time to be allowed for such explanations.

*Conduct during voting*

*Rule 38*

The President shall announce the commencement of voting, after which no representative shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

*Division of proposals*

*Rule 39*

A representative may move that parts of a proposal shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is adopted, those parts of the proposal that are approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

*Amendments*

*Rule 40*

An amendment is a proposal that does no more than add to, delete from or revise part of another proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including amendments.

*Order of voting on amendments*

*Rule 41*

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Congress shall vote first on the amendment furthest removed in substance from the original proposal, and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

*Order of voting on proposals*

*Rule 42*

If two or more proposals, other than amendments, relate to the same question, they shall, unless the Congress decides otherwise, be voted on in the order in which they were submitted. The Congress may, after each vote on a proposal, decide whether to vote on the next proposal.

*Elections*

*Rule 43*

All elections shall be held by secret ballot, unless the Congress decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.

*Rule 44*

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

## VII. SUBSIDIARY ORGANS

*Committees, subcommittees and working groups*

*Rule 45*

There shall be as many committees of the whole as may be approved from time to time by the Economic and Social Council on the recommendation of the Commission on Crime Prevention and Criminal Justice. Each committee may set up subcommittees and working groups, to the extent permitted by available facilities.

*Officers*

*Rule 46*

1. In addition to a Chairman elected by the Congress pursuant to rule 6, each committee shall itself elect a Vice-Chairman and a Rapporteur from among the representatives of participating States.

2. Subcommittees and working groups shall each elect a Chairman and no more than two Vice-Chairmen from among the representatives of participating States.

*Applicable rules*

*Rule 47*

The rules contained in sections II and IV to VI above shall be applicable, *mutatis mutandis*, to the proceedings of subsidiary organs, except that:

(*a*) The Chairmen of subsidiary organs other than the committees referred to in rule 45 may exercise the right to vote;

(*b*) A majority of the representatives participating in any subsidiary organs of limited membership shall constitute a quorum;

(*c*) Decisions of subsidiary organs shall be taken by a majority of the representatives present and voting, except that reconsideration of any such decision shall require the majority established by rule 33.

## VIII. LANGUAGES AND DOCUMENTS

*Official languages*

*Rule 48*

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Congress.

*Interpretation*

*Rule 49*

1. Speeches made in an official language of the Congress shall be interpreted into the other such languages.

2. Statements may be made in a language other than an official language of the Congress if the speaker provides for interpretation into one of the official languages. Interpretation into the other official languages of the Congress by interpreters of the secretariat may be based on the interpretation given in the first such language.

*Languages of official documents*

*Rule 50*

Official documents shall be made available in the official languages of the Congress.

*Sound recordings of meetings*

*Rule 51*

The secretariat shall make sound recordings of meetings of the Congress and of the committees. Such recordings shall be made of meetings of other subsidiary organs when the body concerned so decides.

## IX. REPORT OF THE CONGRESS

*Rule 52*

1. The Congress shall adopt a report, the draft of which shall be prepared by the Rapporteur-General.

2. The report shall be distributed as soon as practicable and not later than six months after the closing of the Congress to all States and to other participants in the Congress.

## X. PUBLIC AND PRIVATE MEETINGS

*General principles*

*Rule 53*

1. The plenary meetings of the Congress and meetings of its subsidiary organs other than the General Committee and the Credentials Committee shall be held in public unless the body concerned decides otherwise.

2. Meetings of the General Committee and the Credentials Committee shall be held in private unless the body concerned decides otherwise.

## XI. OTHER PARTICIPANTS AND OBSERVERS

***Representatives of organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under the auspices of the General Assembly***

*Rule 54*

Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

*Representatives of national liberation movements*

*Rule 55*

Representatives designated by national liberation movements invited to the Congress may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

*Representatives of United Nations organs and related agencies*

*Rule 56*

Representatives designated by organs of the United Nations, the specialized agencies or the International Atomic Energy Agency may participate as observers, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

*Observers for other intergovernmental organizations*

*Rule 57*

Observers designated by other intergovernmental organizations invited to the Congress may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups and, as appropriate, in its other subsidiary organs.

*Observers for non-governmental organizations*

*Rule 58*

Observers designated by non-governmental organizations invited to the Congress may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups.

*Individual experts and consultants*

*Rule 59*

1. Individual experts in the field of crime prevention and the treatment of offenders may be invited to the Congress by the Secretary-General in their individual capacity and may participate, without the right to vote, in the deliberations of the Congress, its committees, subcommittees and working groups.

2. The Secretary-General may invite a small number of expert consultants to participate in the Congress at the expense of the United Nations. In inviting such expert consultants, the Secretary-General shall pay due regard to the principle of equitable geographical representation. Expert consultants thus invited may, as appropriate, initiate and assist in debates in the committees, subcommittees and working groups of the Congress.

*Written statements*

*Rule 60*

Written statements related to the work of the Congress submitted by the designated representatives, individual experts or observers referred to in rules 54 to 59 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution, provided that a statement submitted on behalf of a non-governmental organization shall be on a subject in which it has a special competence.

## XII. AMENDMENT OR SUSPENSION OF THE RULES OF PROCEDURE

*Method of amendment*

*Rule 61*

The present rules may be amended by a decision of the Congress taken by a two-thirds majority of the representatives present and voting upon a recommendation of the General Committee.

*Method of suspension*

*Rule 62*

1. Any of the present rules may be suspended by a decision of the Congress, provided that twenty-four hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects; subsidiary organs may by unanimous consent waive rules pertaining to them. Any suspension shall be limited to a specific and stated purpose and to the period required to achieve it.

2. The present rule shall not apply to rule 30.

*Periodic review of rules*

*Rule 63*

After the completion of each Congress, the Commission on Crime Prevention and Criminal Justice shall make appropriate recommendations to the Economic and Social Council for such amendments to the present rules as it may deem necessary.